

## **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, Development Services Department  
Prepared by: Marcie Oppenheimer Nolan, Deputy Planning and Zoning Manager

**SUBJECT:** Resolution of Support for the proposed Broward County Land Use categories of Transit Oriented Development (TOD) and Transit Oriented Corridor (TOC).

**AFFECTED DISTRICT:** All Districts

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING THE CREATION OF TWO LAND USE CATEGORIES FOR ADOPTION INTO THE BROWARD COUNTY LAND USE PLAN; TRANSIT ORIENTED DEVELOPMENT (TOD) AND TRANSIT ORIENTED CORRIDOR (TOC), TO ASSIST IN IMPLEMENTING THE UNIFIED REDEVELOPMENT EFFORTS OF EACH LOCAL GOVERNMENT ALONG THE STATE ROAD 7/U.S. 441 CORRIDOR; AND AUTHORIZING THE MAYOR TO EXECUTE.

### **REPORT IN BRIEF:**

The Resolution before Town Council is in support of two proposed land use categories created for inclusion in the Broward County Comprehensive Plan. The impetus of this project was the work of the State Road 7 Collaborative. The Collaborative, consisting of elected officials and staff from all 14 municipalities that have property along SR 7, have been meeting for over four (4) years to encourage redevelopment along SR 7. However, transit supporting redevelopment cannot occur unless there are land use categories in the Broward County Comprehensive Plan that will permit and encourage mixed-use developments along major transportation routes.

In response to this County wide effort, the South Florida Regional Planning Council and Broward County have been working to create the appropriate land use categories that will allow redevelopment along major transportation corridors, Transit Oriented Design (TOD) and Transit Oriented Corridor (TOC).

In order to for a municipality to designate an area as either a TOD or TOC the following elements must be provided:

- Residential uses;

- At least one non-residential use; and
- Design Guideline Principles (including transit stops, shelters, street connectivity, public plazas, wide pedestrian and bicycle paths, buildings fronting the street, pedestrian amenities like seating, planters, bicycle parking, drinking fountain, etc.)

The Transit Oriented Corridor (TOC) is intended for long, linear geographical areas with a maximum depth of a ¼ mile on either side of the major roadway, such as SR 7. Also, it is intended for areas along bus rapid transit routes and planned high priority transit corridors. The Transit Oriented Design (TOD) is intended for areas served by major transit stops and stations, but not necessarily served by identified high priority transit corridors.

In addition to the proposed land use categories being incorporated into the Broward County Comprehensive Plan, other elements of the plan will be amended to include implementation of such categories into the existing concurrency management system. For areas designated TOD/TOC, the transit impact will be assessed differently than under a typical, single use development. Also, the County will use the money generated from all new development to improve and increase transit, through decreased time between buses and expanding existing Broward County Transit (BCT) routes and community bus routes where needed.

Upon approval, the Resolution will be sent to the Broward County Planning Council for inclusion in the agenda item for the adoption hearing of these land use categories.

**PREVIOUS ACTIONS:** N/A

**CONCURRENCES:** N/A

**FISCAL IMPACT:** N/A

**RECOMMENDATION(S):** Motion to approve the Resolution.

**Attachment(s):** Resolution and Transit Oriented Development (TOD) and Transit Oriented Corridor (TOC) Broward County land use plan language

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING THE CREATION OF TWO LAND USE CATEGORIES FOR ADOPTION INTO THE BROWARD COUNTY LAND USE PLAN; TRANSIT ORIENTED DEVELOPMENT (TOD) AND TRANSIT ORIENTED CORRIDOR (TOC), TO ASSIST IN IMPLEMENTING THE UNIFIED REDEVELOPMENT EFFORTS OF EACH LOCAL GOVERNMENT ALONG THE STATE ROAD 7/U.S. 441 CORRIDOR; AND AUTHORIZING THE MAYOR TO EXECUTE.

WHEREAS, The Town of Davie seeks to encourage redevelopment of the urban areas of the Town consistent with best planning practices; and

WHEREAS, redevelopment of areas of the Town located along major transit routes should be encouraged; and

WHEREAS, the Town of Davie desires to promote public transit along major roadway arterials; and

WHEREAS, the Town of Davie desires Broward County to incorporate the Transit Oriented Design (TOD) and Transit Oriented Corridor (TOC) land use categories into the Broward County Comprehensive Plan; and

WHEREAS, Broward County has designated State Road 7 and I-595 major transit routes located within the Town; and

WHEREAS, the Town desires the ability to allow redevelopment along the transit corridors to occur in a manner consistent with the vision expressed by the public during the SR 7 Charette, and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council of the Town of Davie does hereby authorize the Mayor to sign this Resolution.

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

June 11, 2004 August 25, 2004

OBJECTIVE 10.04.00 Transit Oriented Corridor

Facilitate mixed use development with access to transit stations or stops along existing and planned high priority transit corridors (i.e. bus rapid transit or high performance transit) designated in the Broward County Comprehensive Plan Transportation Element, Broward County Transit Master Plan, Broward County Metropolitan Planning Organization's (MPO) Long Range Transportation Plan, **Broward County Transit Development Plan, or local adopted financially feasible transportation or transit plan**, through the establishment of a Transit Oriented Corridor (TOC) land use category within the Broward County Land Use Plan

State Road 7, which is an existing transit corridor designated for bus rapid transit by the above referenced plans, may be appropriate for this designation. The Transit Oriented Corridor category may also be applicable along other existing and planned high priority transit corridors (bus rapid transit or high performance transit) designated in the Broward County Comprehensive Plan Transportation Element, the Broward County Transit Master Plan, Broward County MPO's Long Range Transportation Plan, **Broward County Transit Development Plan, or local adopted financially feasible transportation or transit plan**.

Land Use Criteria

POLICY 10.04.01 **Upon application**, Local governments must propose a specific land area for designation as a Transit Oriented Corridor. This designation may only be applied to areas within approximately ¼ mile on either side of the mainline transit corridor. The area may extend beyond ¼ mile around all major intersections, activity nodes and in locations served by existing **or funded community shuttle service**.

POLICY 10.04.02 Residential use is required as a principal component within a Transit Oriented Corridor. Maximum ~~R~~residential ~~D~~density must be specified **by the local government, may vary along the corridor, and must be described** in the permitted uses section of the Broward County Land Use Plan ~~by the local government and may vary along the corridor~~. Residential densities may be specified, **at the option of the local government**, either as units per gross acre in geographically designated areas and/or as a maximum number of permitted units (e.g. pool of units like in the "Local Activity Center" (LAC) and "Regional Activity Center" (RAC) designations)

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- POLICY 10.04.03 At least two non-residential uses must be permitted in the designated area as a principal use: e.g. retail, office, restaurants and personal services, hotel/motel, light industrial (including "live work" buildings), research business, civic and institutional.
- POLICY 10.04.04 Minimum and Maximum FAR (Floor Area Ratio) for non residential uses within a Transit Oriented Corridor must be specified **by the local government and described** in the permitted uses section of the Broward County Land Use Plan. Minimum non-residential FARs (Gross) of 2 are encouraged. **Non residential intensities may vary along the corridor and may be specified at the option of the local government, either as a maximum FAR in geographically designated areas and/or as an overall maximum square footage by use [e.g. pool of square footage by permitted use (retail, office etc.) or land use category(commercial)].**
- POLICY 10.04.05 **Additional or expanded** Stand alone automobile oriented uses such as: large surface parking lots, gas stations/auto repair/car washes; auto dealers; self/equipment storage; big box/warehouse; single-family detached dwelling units; carwashes; and drive-through facilities are discouraged and should be prohibited by the local government, or limited unless designed in a manner to encourage pedestrian and transit usage.

#### Design Guideline Principles

- POLICY 10.04.06 Local land use element policies must include **guiding** principles for municipal design guidelines to adequately address the transition to adjacent residential development, and **to** promote connectivity to transit stations and stops.
- POLICY 10.04.07 Public plazas, **urban** open space or green space/pocket park uses that are accessible to the public must be provided as **an** integrated component within a Transit Oriented Corridor.
- POLICY 10.04.08 The municipality shall include within their land use element policies that ensure that areas designated as Transit Oriented Corridors include design features that promote and

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enhance pedestrian mobility, including connectivity to transit stops and stations, based on the following characteristics:

- Integrated transit stop with shelter, or station (within the TOC area).
- Wide (5 feet shall be the minimum consistent with ADA requirements) pedestrian and bicycle paths that minimize conflicts with motorized traffic and are adequately landscaped, shaded and provide opportunities for shelter from the elements.
- Buildings should front the street (zero or minimal setbacks are encouraged).
- Vehicle parking strategies that encourage and support transit usage (such as parking that does not front the street, shared parking, parking structures, and/or reduced parking ratios).
- Streets (internal and adjacent to the TOC) should be designed to discourage isolation and provide connectivity (such as streets in the grid pattern).

POLICY 10.04.09 Local plan policies must include requirements for internal pedestrian and transit amenities to serve the residents and employees within the area designated as a Transit Oriented Corridor (such as seating on benches or planter ledges, shade, light fixtures, trash receptacles, information kiosks, bicycle parking) or other amenities that could be incorporated into adjacent publicly accessible areas and plazas (such as clocks, fountains, sculpture, drinking fountains, banners, flags and food and refreshment vendor areas).

POLICY 10.04.10 The intent of the required Design Guideline Principles is to provide guidelines for municipal implementation of the Transit Oriented land use category. Municipalities are encouraged to use some or all of the above design elements, or to develop other design strategies, which accomplish the goals of using design elements to enhance pedestrian and transit mobility. County review of applications seeking Transit Oriented Corridor land use category designations will only determine whether the municipality has adopted, through plan policies a cohesive set of implementation strategies to accomplish the design strategies sought, and will not seek to require a specific design approach or a fixed set of design approaches as a

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requirement for County approval of the land use designation sought.

Review Process Considerations

- POLICY 10.04.11 The transportation impact analysis for a proposed Transit Oriented Corridor designation shall consider the modal shift provided through the provision of transit and the transit oriented design. **In addition, the transportation impact analysis shall consider the effects of internal capture as applicable to transit oriented mixed use projects**
- POLICY 10.04.12 In consideration of non-residential land uses in areas proposed for designation as a Transit Oriented Corridor the impact analysis for the designation in the Broward County Land Use Plan may be based on the amount of non-residential development which could be permitted as per the intensity standards of the effective local government land use element rather than the alternative 10,000 square feet per gross acre utilized for non-residential impact analysis.
- ~~POLICY 10.04.13 A proposed Transit Oriented Corridor shall demonstrate consistency with the goals, objectives and policies and other requirements of the Broward County Land Use Plan.~~
- POLICY 10.04.14<sup>3</sup> An interlocal agreement between the municipality and Broward County must be executed no later than six months from the effective date of the adoption of a Transit Oriented Corridor which provides that monitoring of development activity and enforcement of permitted land use densities and intensities shall be the responsibility of the affected municipality.



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OBJECTIVE 10.05.00 Transit Oriented Development

Encourage mixed use development in areas served by major regional transit stations, such as Tri-Rail stations, major transfer terminals and neighborhood intermodal transfer centers, as designated in the Broward County Comprehensive Plan Transportation Element, Broward County Mass Transit Element, Broward County Metropolitan Planning Organization's (MPO) Long Range Transportation Plan, Broward County Transit Development Plan, or local adopted financially feasible transportation or transit plan, through the establishment of a Transit Oriented Development (TOD) land use category within the Broward County Land Use Plan.

The TOD land use category must be supported by policies in the local land use element that incorporate design criteria to require pedestrian connectivity to regional transit stations with development that is mixed use with a "sense of place" and is transit supportive.

Land Use Criteria

- POLICY 10.05.01 Residential use is required as a principal component within a Transit Oriented Development.
- POLICY 10.05.02 Maximum Residential Density must be specified by the local government, may vary in the Transit Oriented Development, and must be described in the permitted uses section of the Broward County Land Use Plan (BCLUP). Residential densities may be specified, at the option of the local government, either as units per gross acre in geographically designated areas and/or as a maximum number of permitted units (e.g. pool of units like in the BCLUP "Local Activity Center" (LAC) and "Regional Activity Center" (RAC) designations).
- POLICY 10.05.03 At least two non-residential uses must be permitted in the designated area as principal uses: e.g. retail, office, restaurants and personal services, hotel/motel, light industrial (including "live work" buildings), research business, civic and institutional.

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- POLICY 10.05.04     **Additional or expanded, Stand alone** automobile oriented uses such as: large surface parking lots, gas stations/auto repair/car washes; auto dealers; self/equipment storage; "big box"/warehouse; single-family detached dwelling units; carwashes; and drive-through facilities are discouraged and should be prohibited by the local government, or limited, unless designed in a manner to encourage pedestrian and transit usage.
- POLICY 10.05.05     Minimum and Maximum FAR (Floor Area Ratio) for non residential uses within a Transit Oriented Development must be specified, **by the local government** in the permitted uses section of the Broward County Land Use Plan. Minimum non-residential FARs (Gross) of 2 are encouraged. **Non residential intensities may vary in the TOD and may be specified at the option of the local government, either as a maximum FAR in geographically designated areas and/or as an overall maximum square footage by use [e.g. pool of square footage by permitted use (retail, office etc.) or land use category (commercial)].**

Design Guideline Principles

- POLICY 10.05.06     The municipality shall include within their land use element policies that ensure that Transit Oriented Development includes design features that promote and enhance pedestrian mobility, including connectivity to regional transit stations, based on the following characteristics:
- Integrated transit stop with shelter, or station (within the TOD area).
  - Public plazas, **urban** open space or green space/pocket park uses that are accessible to the public must be provided as an integrated component within a Transit Oriented Development.

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- Wide (5 feet shall be the minimum consistent with ADA requirements) pedestrian and bicycle paths that minimize conflicts with motorized traffic and are adequately landscaped, shaded and provide opportunities for shelter from the elements.
- Buildings should front the street (zero or minimal setbacks are encouraged).
- Vehicle parking strategies that encourage and support transit usage (such as parking that does not front the street, shared parking, parking structures, and/or reduced parking ratios).
- Streets (internal and adjacent to the TOD) should be designed to discourage isolation and provide connectivity (such as streets in the grid pattern).

POLICY 10.05.07 Local governments shall include within their local land use element policies that require internal pedestrian and transit amenities to serve the residents and employees within the Transit Oriented Development (such as seating on benches or planter ledges, shade, light fixtures, trash receptacles, information kiosks, bicycle parking) or other amenities that could be incorporated into adjacent publicly accessible areas and plazas (such as clocks, fountains, sculpture, drinking fountains, banners, flags and food and refreshment vendor areas).

POLICY 10.05.08 The intent of the required Design Guideline Principles is to provide guidelines for municipal implementation of the Transit Oriented Development land use category. Municipalities are encouraged to use some or all of the above design elements, or to develop other design strategies, which accomplish the goals of using design elements to enhance pedestrian and transit mobility. County review of applications seeking Transit Oriented Development land use category designations will only determine whether the municipality has adopted, through plan policies a cohesive set of implementation strategies to accomplish the design strategies sought, and will not seek to require a specific design approach or a fixed set of design approaches as a requirement for County approval of the land use designation sought.

#### Review Process Considerations

POLICY 10.05.09 The transportation impact analysis for a proposed Transit Oriented Development designation shall consider the modal provided through the provision of transit and the transit oriented design. **In addition, the transportation impact analysis shall consider the effects of internal capture as applicable to transit oriented oriented mixed use projects.**

POLICY 10.05.10 In consideration of non-residential land uses in areas proposed for designation as a Transit Oriented Development, the impact analysis for the designation in the Broward County Land Use Plan may be based on the amount of non-residential development which could be permitted as per the intensity standards of the effective local government land use element, rather than the alternative 10,000 square feet per gross acre standard utilized for non-residential impact analysis.

~~POLICY 10.05.11 A proposed Transit Oriented Development shall demonstrate consistency with the goals, objectives and policies and other requirements of the Broward County Land Use Plan.~~

POLICY 10.05.~~12~~**11** An interlocal agreement between the municipality and Broward County must be executed no later than six months from the effective date of the adoption of a Transit Oriented Development which provides that monitoring of development activity and enforcement of permitted land use densities and intensities shall be the responsibility of the affected municipality.